

1 Yossel Lichtman

2 stipulate on the record that it is the EEdge  
3 entity, which whose name we already provided  
4 and who was the subject of your motion to  
5 amendment.

6 Q. When did EEdge first become responsible  
7 for managing the building?

8 A. I don't have the dates. But probably  
9 five or six years ago.

10 Q. And just to clarify, that is five or six  
11 years from now or is that five or six years from  
12 the time that they stopped managing the building a  
13 couple of years ago?

14 A. I think for now.

15 Q. Who managed the building in the year  
16 2018?

17 A. Edge.

18 Q. Who managed the building in the year  
19 2017?

20 A. Edge.

21 Q. Who managed the building in 2016?

22 A. I believe Edge, but I'm not sure.

23 Q. Did Edge manage the building all the way  
24 through the calendar year 2018?

25 A. I believe so. Yes.

1 Yossel Lichtman

2 Q. So if Rogers Management took over a  
3 couple years ago, does that mean that they took  
4 over management in the year 2019?

5 A. I'm not sure if it's '19 or '20.

6 Q. Do you remember whether the change in  
7 management companies came before the beginning of  
8 the Covid-19 pandemic?

9 A. I guess it was before.

10 Q. How did Edge become the manager of the  
11 building?

12 A. When you say how, what do you mean by  
13 how?

14 Q. Were they hired?

15 A. They were hired. Yes.

16 Q. Who hired them?

17 A. I did.

18 Q. Did they work for you personally or for 4  
19 East 22nd?

20 A. For east 22.

21 Q. What did you hire them to do?

22 A. Full management.

23 Q. What does that consist of?

24 A. All day-to-day operations.

25 Q. What operation are included in all

1 Yossel Lichtman

2 day-to-day operations?

3 A. They are collecting the rent and paying  
4 all the expenses, et cetera.

5 Q. Let's expand on that "et cetera."

6 I am going to go down a list of some  
7 examples, and you can tell me whether or not they  
8 were hired to do the things?

9 A. Okay.

10 Q. Did they send rent statements or rent  
11 bills to tenants?

12 A. I believe, yes.

13 Q. Did they keep track of rents received  
14 from tenants?

15 A. Yes.

16 Q. Did they determine how much rent should  
17 be charged to tenants?

18 A. Yes.

19 MR. MEDINETS: Could you clarify what  
20 you mean by that, Michael?

21 Q. When a tenant starts a tenancy, there is  
22 an agreement as to the rent to be paid, who  
23 determines how much rent should be charged?

24 A. I would say it was the HCR.

25 Q. Who determines who is responsible for

1                   Yossel Lichtman  
2 telling the tenants what to pay, how much rent to  
3 pay?

4                   A.     Edge.

5                   Q.     Who executed, for all these questions,  
6 I'm talking about the period during which Edge was  
7 the manager. Who executed leases?

8                   A.     Edge.

9                   Q.     Who wrote up the leases?

10                  A.     Edge.

11                  Q.     That included filling in the amount of  
12 rent that the tenants should pay?

13                  A.     Edge.

14                  Q.     Who was responsible for maintenance and  
15 repairs in the building?

16                  A.     Edge.

17                  Q.     Who was responsible for hiring the  
18 building staff, such as, just a listed example,  
19 it's not a complete list, if you see what I mean,  
20 people such as a superintendent or a porter?

21                  A.     Edge.

22                  Q.     Who was responsible for hiring  
23 contractors for the building?

24                  A.     Edge.

25                  Q.     Who was responsible for determining when

- 1 Yossel Lichtman  
2 repairs and maintenance needed to be done?
- 3 A. Edge.
- 4 Q. Who kept the books for East 22nd, the  
5 LLC?
- 6 A. Edge.
- 7 Q. Edge kept the books for the LLC?
- 8 A. Yes.
- 9 Q. If a tenant owed rent, who made the  
10 decision about whether or not to bring a legal  
11 action against the tenant?
- 12 A. Edge.
- 13 Q. When you hired Edge, how did you set out  
14 what their responsibilities would be.  
  
15 Was that in writing, or was that orally,  
16 or was that in an email or on paper?
- 17 A. Orally.
- 18 Q. Was there ever a contract between East  
19 22nd and Edge?
- 20 A. I don't think so. No.
- 21 Q. Was Edge paid to manage the building?
- 22 A. Yes.
- 23 Q. Paid by whom?
- 24 A. By East 22nd.
- 25 Q. How much were they paid?

1 Yossel Lichtman

2 A. I don't remember the exact number, but  
3 approximately 1,000 per month.

4 Q. Were the payments made monthly?

5 A. Yes.

6 Q. How were those payments made.

7 Were they made, for example, by check, or  
8 direct deposit, or cash?

9 A. Probably by check.

10 Q. Who signed that check?

11 A. They signed it.

12 Q. Say that again.

13 A. They did.

14 Q. Edge.

15 A. Edge, they made their own checks, they  
16 signed it.

17 Q. I'm talking about the checks that were  
18 made out by which East 22 paid Edge?

19 A. Edge was the one responsible for paying  
20 bills, so they paid their own checks to  
21 themselves. On East 22nd.

22 Q. How did Edge know what responsibilities  
23 they were supposed to perform for the building?

24 A. Could you define the question?

25 Q. Who told Edge what their job would be?

1 Yossel Lichtman

2 A. They were a company doing the  
3 management. They knew what management did, how to  
4 manage the properties.

5 Q. How did East 22nd tell Edge what to do?

6 A. We told them everything related to  
7 management.

8 Q. Was there any communication about what  
9 that included and what that didn't include?

10 A. I don't remember. But I know they had  
11 responsibilities of -- there was --

12 Could you repeat the question?

13 Q. Sure. And I will try to clarify it as I  
14 go.

15 East 22 hired Edge to manage the building,  
16 correct?

17 A. Yes.

18 Q. There are many aspects of managing the  
19 building, correct? We went over a number of them.

20 A. Yes.

21 Q. How did East 22nd communicate to Edge  
22 which of those things they should do?

23 A. I told them that everything related to  
24 management.

25 Q. What else did you tell them about what

1 Yossel Lichtman  
2 that might include, the everything related to  
3 management?

4 A. I don't remember.

5 Q. How did you first come to know of Edge?

6 A. Sorry.

7 Q. Do you want me to repeat the question?

8 A. No. I heard.

9 I knew the person that was doing this  
10 management from a different company.

11 Q. Do you mean that you heard about them  
12 from somebody that worked for a different  
13 management company?

14 A. The lady that was in Edge, Hannah  
15 Waldman (phonetic), she was working before at a  
16 different management company.

17 Q. Do you remember what management company  
18 that was?

19 A. Coney Management.

20 Q. Were there any decisions in the  
21 management of the building for which Edge was  
22 supposed to consult with you or with anyone at  
23 East 22nd?

24 A. No.

25 Q. Was there any limit to the amount of

1 Yossel Lichtman  
2 money they could spend before they checked with  
3 you for East 22?

4 A. It was not specified. No.

5 Q. Were there any decisions that the Edge  
6 did consult with you or anyone at East 22nd about?

7 A. They did at times.

8 Q. What decisions were those?

9 A. How much to spend. Sorry.

10 How much to spend on repairs, and if they  
11 had questions about a tenant, they access. They  
12 asked me if I knew something.

13 Q. That last piece, you said, access.

14 What do you mean by access?

15 A. Sometimes you need access, they asked me  
16 if I heard about the tenant or, you knew how to  
17 get to the tenant or any issues that came up, they  
18 consulted with me at times.

19 Q. When you say access, do you mean access  
20 to a tenant's apartment?

21 A. Yes. And performing repairs.

22 Q. And you said they would ask you whether  
23 you knew something about how to communicate with  
24 that tenant?

25 A. Or if it the tenants needed some

1 Yossel Lichtman  
2 repairs, since the building was newly renovated  
3 building, they would ask me what I know about  
4 those repairs.

5 Q. You said they would ask you whether you  
6 knew anything about the best way to get through to  
7 a tenant?

8 A. Also.

9 Q. Also?

10 A. Yes.

11 Q. Did you know the tenants personally?

12 A. I did know them because I was involved  
13 in the construction of the building renovations.

14 So I did know the tenants at some point.

15 Q. Did you know Tammy Brake personally?

16 A. No. I don't know her personally.

17 Q. Have you met Tammy Brake face-to-face?

18 A. I believe once maybe.

19 Q. Have you spoken with her on the phone?

20 A. I don't remember. Actually, possibly  
21 eight to ten years ago, and not in the last few  
22 years.

23 MR. MEDINETS: Can you read that  
24 answer back?

25 (Requested answer was read back.)

1 Yossel Lichtman

2 BY MR. GRINTHAL:

3 Q. Have you communicated with Tammy Brake  
4 by email?

5 A. I don't think so.

6 Q. Have you communicated with Tammy Brake  
7 by text?

8 A. I don't think so, but for sure in the  
9 last few years, though. But it could be during  
10 the renovations, but I don't think I did since.

11 Q. About how often would you say Edge  
12 consulted with East 22nd in making decisions?

13 MR. MEDINETS: You mean with  
14 Mr. Lichtman or the LLC?

15 Obviously there has to be a person  
16 behind the LLC.

17 Q. Good point. I will ask this question  
18 first.

19 When Edge communicated, when Edge  
20 consulted with East 22nd, who would they consult  
21 with, what person?

22 A. They would contact me.

23 Q. Did they ever contact Cheskel Lichtman?

24 A. No.

25 Q. Did they ever contact Sarah Lichtman?

1 Yossel Lichtman

2 A. No.

3 Q. How often would they consult you with  
4 decisions about the management?

5 A. When they had a question.

6 Q. Would you say that that was more often  
7 or less often than once a month?

8 A. Probably approximately like once a  
9 month.

10 Q. Was there ever a time when you told the  
11 Edge not to do something?

12 A. Probably.

13 Q. Was there ever a time when you the Edge  
14 asked your permission to do something and you  
15 denied that permission?

16 A. I don't remember, but probably.

17 Q. When the Edge consulted with you, did  
18 they do that by phone, by email, or by letter, or  
19 by face-to face-email?

20 A. Email.

21 Q. What email address did they communicate  
22 with you through?

23 A. JSLichtman@gmail.

24 Q. Gmail. And that is JSL with no other  
25 spaces?

1 Yossel Lichtman

2 A. No.

3 Q. No underscores, no hyphens, no periods?

4 A. No.

5 MR. MEDINETS: Mr. Lichtman, just to  
6 ensure consistency and readability of the  
7 transcript, please make sure and wait for  
8 Mr. Grinthal finishes his sentence before  
9 you start speaking, just so the answers  
10 don't overlap with the questions.

11 A. Okay.

12 Q. The names of the people that you know  
13 that worked for Edge, the names of the people?

14 A. Hannah Waldman. Mayer Waldman. And  
15 there was a girl also. And I don't remember her  
16 name.

17 Q. Did Hannah Waldman work for Edge during  
18 the whole time that Edge worked for East 22nd?

19 A. Yes.

20 Q. Did Mayer Waldman work for Edge for the  
21 whole time that Edge worked for East 22nd?

22 A. Not sure.

23 Q. Who did you directly deal with?

24 A. Hannah Waldman.

25 Q. Did you deal with Mayer Waldman at all?

1 Yossel Lichtman

2 A. Not really.

3 Q. Say that again.

4 A. Almost never.

5 Q. Have you met Mayer Waldman?

6 A. Yes.

7 Q. Have you had communications with him?

8 A. Yes.

9 Q. What is Hannah Waldman's role at Edge,  
10 as far as you know?

11 A. I am not sure, but I guess she was one  
12 of the owners or members.

13 Q. Did she ever describe to you her role?

14 A. No.

15 Q. Did she ever identify herself to you,  
16 for example, I am the, insert title, at Edge?

17 A. No.

18 Q. Did you ever receive documents from her  
19 that had her letterhead?

20 A. No.

21 Q. Did you ever receive documents that had  
22 Edge's letterhead?

23 A. Yes.

24 Q. Did that letterhead list any of the  
25 employees of Edge on it?

1 Yossel Lichtman

2 A. No.

3 Q. When Hannah Waldman would send you an  
4 email, did it have a signature block?

5 A. I don't think so, but I can check. I  
6 don't remember.

7 Q. How often did you email with Hannah  
8 Waldman?

9 A. I am not sure how often it was.

10 Q. You testified previously that Edge  
11 consulted with you personally about once a month.

12 Were those consultations always with  
13 Hannah Waldman?

14 A. Yes.

15 Q. Were those consultations always by  
16 email?

17 A. Yes.

18 Q. Were there ever consultations by phone?

19 A. Rarely.

20 Q. Not really?

21 A. I said rarely.

22 Q. Rarely, but sometimes it did happen?

23 A. Yes.

24 Q. So putting those pieces together, is it  
25 accurate to say that you and Hannah Waldman

1 Yossel Lichtman  
2 communicated by email about once a month?

3 A. Yes.

4 Q. And were there months where it might  
5 have been more often than that?

6 A. Yes.

7 Q. Were there months where it might have  
8 been less often than that?

9 A. Yes.

10 Q. I am going to go back. I'm sorry.

11 I don't think I asked you to spell Chana  
12 Waldman's name. I am sorry if I'm asking you to  
13 repeat yourself, but could you spell that name?

14 A. C-h-a-n-a, and the last name is  
15 W-a-l-d-m-a-n.

16 Q. Hannah Waldman, do you know if she ever  
17 used any other version of her first name or  
18 nickname?

19 A. No.

20 Q. No, you are not sure, or no, she didn't?

21 A. I believe she didn't.

22 Q. Did you ever see her use the spelling of  
23 her name, C-h-a-n-i-e?

24 A. I didn't pay attention to how she  
25 spelled it.

1 Yossel Lichtman

2 Q. Do you know whether there was a  
3 relationship between Hannah Waldman and Mayer  
4 Waldman other than that they worked for the same  
5 business?

6 A. Yes. That is her spouse.

7 Q. They are spouses. They are married.

8 Do you have any relationship with Hannah  
9 Waldman other than the business relationship  
10 between Edge and East 22nd?

11 MR. MEDINETS: A familial  
12 relationship?

13 Q. I'll ask a different question.

14 Do you have a familial relationship with  
15 Hannah Waldman?

16 A. No.

17 Q. Do you have a social relationship with  
18 Hannah Waldman.

19 A. No.

20 Q. Do you have a familial relationship with  
21 Mayer Waldman?

22 A. No.

23 Q. Do you have a social relationship with  
24 Mayer Waldman?

25 A. No.

1 Yossel Lichtman

2 Q. Do you know whether Cheskel has a social  
3 relationship with either Chana or Mayer Waldman?

4 A. No.

5 Q. Was that no, you don't know, or no,  
6 there is no such relationship?

7 A. No, there is not.

8 Q. I will ask my question more clearly.

9 To the best of your knowledge, does Sarah  
10 Lichtman have a social relationship with Mayer or  
11 Hannah Waldman?

12 A. No.

13 MR. GRINTHAL: I have a few more  
14 questions, and my hope is that we can take a  
15 break at 12.

16 Does that makes sense for others?

17 MR. MEDINETS: Sounds good to me.

18 MR. GRINTHAL: Okay.

19 MR. MEDINET: And my questions may go  
20 a little past 12, but I will aim for 12.  
21 And then we will come back, and after that  
22 break, it will be Matt Schedler who is  
23 asking the questions and I will take a step  
24 back.

25 Mr. Lichtman, there will never be more

1 Yossel Lichtman

2 than one person from my side asking you  
3 questions, but the person asking you  
4 questions will change after the break.

5 MR. MEDINETS: Off the record.

6 (Discussion held off the record.)

7 MR. GRINTHAL: Back on.

8 Q. I will ask you some questions that dive  
9 some more into the responsibilities of Edge.

10 If a tenant at 596 East 22nd owed rent,  
11 who decided, again, these questions are all for  
12 the period where Edge was.

13 Who decided whether or not to bring a  
14 legal action against that tenants?

15 A. Edge.

16 Q. What criteria did they use to decide  
17 when rent or arrears rise to the level of when a  
18 legal action should be taken?

19 A. I don't know.

20 Q. Did you tell them any criteria they  
21 should use?

22 A. No.

23 Q. Did you communicate with them in any way  
24 about how they should make decisions to bring  
25 legal action?

1 Yossel Lichtman

2 A. No.

3 Q. When it is decided to bring a legal  
4 action against the tenant, the first step is to  
5 send a written rent demand, or five or three-day  
6 notice or other names for that document, who  
7 decided when to send that document to the tenant?

8 MR. MEDINETS: As a general matter?

9 Q. As a general matter?

10 A. Edge.

11 Q. Did they consult with you before making  
12 that decision?

13 A. At times.

14 Q. Did they inform you that they had made  
15 that decision, even if was not to consult or ask,  
16 just to inform?

17 A. At times.

18 Q. Did they consult with you before they  
19 served the notice on Tammy Brake in January of  
20 2018?

21 A. I believe they did.

22 Q. Did they consult with you or simply  
23 notify you?

24 A. I believe they notified.

25 Q. Were there ever times when you disagreed

1                           Yossel Lichtman  
2 with Edge about whether or not to commence a legal  
3 action?

4         A.     Yes. Or recommended.

5         Q.     Does that mean that sometimes you would  
6 recommend to Edge that they take a legal action?

7         A.     That they shouldn't take it.

8         Q.     Was there ever a time that you reached  
9 out to them proactively to say, you should take a  
10 legal action against this tenant when they had not  
11 consulted with you for this purpose?

12        A.     I don't think so. No.

13        Q.     About how many times would you say that  
14 you told the Edge not to commence a legal action  
15 that they were considering?

16        A.     Rarely.

17        Q.     Rarely? To put a range on rarely, would  
18 you say less than three times?

19        A.     Probably.

20        Q.     When you told them not to commence a  
21 legal action, what were your reasons for telling  
22 them not to commence a legal action?

23        A.     Either I know the tenant contacted me  
24 saying that they are going to make a payment or  
25 that is the only case why I would recommend not